

APPLICANT(S): GEWIRTZ, Alan M.
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REMARKS

The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Status of Claims

Claims 1-60 are pending in the application. Claims 51-60 were withdrawn. Claims 1-49 have been rejected. Claims 1, 4, 6, 11, 15, 21, 26, 32, 37, and 44 are amended herein. Support for this amendment can be found, at least, in the claims as filed as well as Example 1 of the specification. Claims 10, 14, 20, 25, 31, 36, 43, and 49 are canceled herein without prejudice.

CLAIM REJECTIONS

35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 1, 6, 9, 10 and 15 under 35 U.S.C. § 102(b), as being anticipated by Taylor *et al.* (U.S. Patent 6,140,125) ("Taylor"). Specifically, the Examiner asserts that Taylor disclosed "inhibition of Bcl-6 in cells via administration of antisense compounds targeting Bcl-6."

Applicant notes that Applicant has amended the claims and the amended claims are directed to "a molecule complementary to all or portion of the sequence set forth in SEQ ID NO: 6." Nowhere does Taylor describe this claimed feature. In fact, the Examiner acknowledged that "SEQ ID NO: 6 is free of the prior art." See page 2, line 12 of the Office Action. Therefore, Applicant respectfully requests withdrawal of the rejection.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 1-49 under 35 U.S.C. § 103(a), as being obvious over Taylor and Opalinska *et al.* (*Blood*, vol. 102 (11):137A-138A) ("Opalinska") in view of Tuschl *et al.* (U.S. 2004/0259247) ("Tuschl"), Noonberg *et al.* (U.S. 5,624,803), and Li *et al.* (U.S. 2002/0114784) ("Li"). Applicant respectfully disagrees for the reasons set forth below.

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The Examiner has not established that each of the cited reference is a prior art. Specifically, the Examiner has not established that the Opalinska reference was published one year before the priority date of the subject application. In fact, the Opalinska reference is an Abstract that describes Applicant's own work and Applicant submitted the Abstract to the Annual Meeting of Hematology less than one year before the priority date of the subject application. Therefore, the Opalinska reference could not have been published one year before the priority date, and thus this reference is not a prior art to the subject application. Therefore, Applicants respectfully request that the rejection be withdrawn.

Additionally, as discussed above, Applicants have amended claims and the amended claims are directed to "a molecule complementary to all or portion of the sequence set forth in SEQ ID NO: 6." None of the cited references describe or teach this claimed feature. In fact, the Examiner acknowledged that "SEQ ID NO: 6 is free of the prior art." See page 2, line 12 of the Office Action. Therefore, for this additional reason, Applicant respectfully requests withdrawal of the rejection.

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CONCLUSION

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



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